

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kenneth M. Adams et al.

Examiner: Unassigned

Serial No.: 10/700,856

Group Art Unit: Unassigned

Filed: November 4, 2003

Docket No.: M190.146.101

Title: **SURGICAL MICRO-RESECTING INSTRUMENT WITH  
ELECTROCAUTERY AND CONTINUOUS ASPIRATION FEATURES**



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet containing Certificate of Mailing (1 pg.).
- ☒ Information Disclosure Statement (2 pgs.).
- ☒ Form PTO-1449 (2 pgs.).
- ☒ A copy of (0) U.S. Patent Document(s), (4) Foreign Document(s), and (8) Other Art Document(s).
- ☒ Return Postcard.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. At any time during the pendency of this application, please charge any additional fees or credit overpayment to Deposit Account No. 500471.

**Customer No. 025281**

By: 

Name: Timothy A. Czaja

Reg. No.: 39,649

**CERTIFICATE UNDER 37 C.F.R. 1.8:**

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 20<sup>th</sup> day of February, 2004.

By: 

Name: Timothy A. Czaja



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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached form 1449 be considered by the Examiner and made of record. Any required copies of patents, publications or other documents are enclosed for the Examiner's review. Pursuant to the provisions of M.P.E.P. 609, Applicant further requests a copy of the 1449 form, marked as being considered and initialled by the Examiner, be returned with the next Official Communication.

Since this Information Disclosure Statement is being submitted within three months of filing national application; or date of entry of national application; or before the mailing date of the first Office Action on the merits, a fee has not been enclosed. However, if such fee is required, the Patent Office is hereby authorized to charge Deposit Account No. 500471 for fees as set forth under 37 C.F.R. 1.17(p).

Applicant respectfully requests consideration of these references during prosecution of the above-identified matter. The Examiner is invited to contact the Applicant's representative at

**Information Disclosure Statement**

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the below-listed telephone number if there are any questions regarding this Communication or the tendered references.

Respectfully submitted,

Kenneth M. Adams et al.,

By their attorneys,

DICKE, BILLIG & CZAJA, PLLC

Fifth Street Towers, Suite 2250

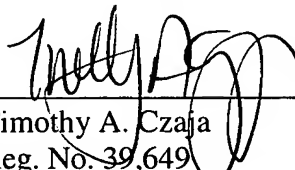
100 South Fifth Street

Minneapolis, MN 55402

Telephone: (612) 573-2004

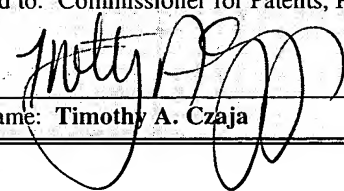
Facsimile: (612) 573-2005

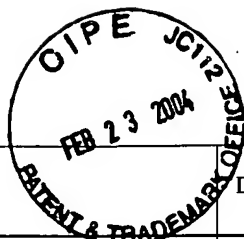
Dated: FEBRUARY 20, 2004  
TAC:jmc

  
\_\_\_\_\_  
Timothy A. Czaja  
Reg. No. 39,649

**CERTIFICATE UNDER 37 C.F.R. 1.8:**

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By   
\_\_\_\_\_  
Name: Timothy A. Czaja



FORM PTO-1449	Docket No.: M190.146.101	Serial No.: 10/700,856
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Applicant: Kenneth M. Adams et al.	
	Filing Date: Nov. 4, 2003	Group Art: Unknown

## U.S. PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Name	Class	Sub Class	Filing Date If Appropriate
AA	4,760,317	07/1988	Hetzel et al.			
AB	5,195,959	03/1993	Smith			
AC	5,217,457	06/1993	Delahuerge et al.			
AD	5,364,395	11/1994	West, Jr.			
AE	5,707,402	01/1998	Heim			
AF	5,730,752	03/1998	Alden et al.			
AG	5,782,795	07/1998	Bays			
AH	5,797,907	08/1998	Clement			
AI	5,810,809	09/1998	Rydell			
AJ	5,904,681	05/1999	West, Jr.			
AK	5,904,698	05/1999	Thomas et al.			
AL	5,908,419	06/1999	Hahnen et al.			

## FOREIGN PATENT DOCUMENTS

	Document No.	Date	Country	Class	Sub Class	Translated Yes No
AM	2205045	11/1998	GB			Yes
AN	196 41 563 A1	10/1996	DE			Yes
AO	196 41 564 A1	10/1996	DE			Yes

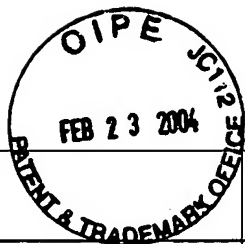
## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AP	XoMed Product Release, "RAD 55® & RAD 60 X-TREME®"; September 1998
AQ	Charles M. Myer, III, M.D., et al., "Use of a Laryngeal Micro Resector System", pp. 1165-1166; July 1999.
AR	XoMed Advertisement, "Sinus Surgery Products", 5 pgs.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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Examiner Initial	Document No.	Date	Name	Class	Sub Class	Filing Date If Appropriate
BA	5,913,857	06/1999	Ritchart et al.			
BB	5,922,003	07/1999	Anctil et al.			
BC	5,925,040	07/1999	Nardella et al.			
BD	5,941,876	08/1999	Nardella et al.			
BE	5,951,548	09/1999	DeSisto et al.			
BF	5,951,551	09/1999	Erllich			
BG	5,957,881	09/1999	Peters et al.			
BH	6,007,533	12/1999	Casscells et al.			
BI	6,022,362	02/2000	Lee et al.			
BJ	6,032,673	05/2000	Savage et al.			
BK	6,346,107	02/2002	Cucin			
BL	6,663,628	12/2003	Peters			

## FOREIGN PATENT DOCUMENTS

	Document No.	Date	Country	Class	Sub Class	Translated Yes No
BM	299 14 180 U1	08/1999	DE			Yes

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

BN	Michael Friedman, M.D., et al., "A Safe, Alternative Technique for Inferior Turbinate Reduction", pp. 1834-1837; November 1999.
BO	XoMed Surgical Technique Brochure, "Powered Laryngeal Surgery Using the Angle-Tip RAD Airway™ Blades", pp. 1-8.
BP	XoMed Product Release, "SKIMMER™ Angle-Tip Laryngeal Blades", 1 pg; ©1998
BQ	XoMed Advertisement, "Lose the Laser", 2 pgs; August 1998.
BR	Daniel G. Becker, M.D., "Technical Considerations in Powered Instrumentation", Otolaryngologic Clinics of North America, Vol. 30, Number 3, pp. 421-433; June 1997.

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